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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/573,785	03/28/2006	Christophe Taurand	4590-503	5497
33308	7590	10/20/2008		
LOWE HAUPTMAN & BERNER, LLP			EXAMINER	
1700 DIAGONAL ROAD, SUITE 300			TRAN, NGUYEN	
ALEXANDRIA, VA 22314				
			ART UNIT	PAPER NUMBER
			2838	
			MAIL DATE	DELIVERY MODE
			10/20/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/573,785	TAURAND, CHRISTOPHE	
	<b>Examiner</b>	<b>Art Unit</b>	
	NGUYEN TRAN	2838	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 30 June 2008.  
 2a) This action is **FINAL**.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 10,11,14,17 and 20 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 10,11,14,17 and 20 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 28 March 2006 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____ .                                    |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>3/28/06</u> .   | 6) <input type="checkbox"/> Other: _____ .                        |

## DETAILED ACTION

### ***Election/Restrictions***

Applicant's election without traverse of Species I in the reply filed on 6/30/8 is acknowledged.

### ***Drawings***

Figures 1-2, and 4 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 10-11, 14, 17, and 20** are rejected under 35 U.S.C. 102(b) as being anticipated by Kutkut et al. (US 6150795).

**Regarding claim 10:** Kutkut et al. discloses **fig. 1** an energy storage device comprising n storage elements (*i.e. VBN1-N*) arranged in a series network (**network of fig. 1**), said network (**network of fig. 1**) able to provide a continuous voltage across its terminals **40, 41**, and  $n(n-1)/2$  identical charge transfer modules (*i.e. #1-3*), each module (*i.e. #1*) pairing two storage elements (*i.e. VBN1-2*) of the said network and ensuring a bidirectional transfer of charge (**charging current from 32**) between these two storage elements (*i.e. VBN1-2*), and each storage element (C.sub.k) (*i.e. VBN2*) being paired with each of the other  $n-1$  storage elements (*i.e. VBN3*) of the network by  $(n-1)$  associated modules (*i.e. #2*).

**Regarding claim 11:** **fig. 1** wherein said modules (*i.e. #1-3, connection at line 51-53*) are of the three-pole or four-pole type depending on whether the elements that they pair are adjacent or nonadjacent.

**Regarding claim 14:** **fig. 1** wherein the charge (**Ich**) transfer between a storage element **VB1** and the storage elements (*i.e. VBN2-N*) which are paired with manifests itself by a charging (**Ich**) or discharging current of these paired elements proportional to first order to the difference between the voltage at the terminals of the said element and the average of the voltages at the terminals **40, 41** of the said storage elements (*i.e. VBN1-N*) paired with (**Col. 8, lines 1-45**).

**Regarding claim 17:** **fig. 1** wherein said storage elements (*i.e. VBN1-N*) are electrochemical battery cells, cells of lithium-ion battery type or supercapacitors.

**Regarding claim 20: fig. 1** an electronic system comprising a charger and an energy storage device as claimed in claim 10, said energy storage device being rechargeable by the said charger **32**.

### ***Conclusion***

Examiner's note: **Examiner has cited particular figures, columns and line numbers in the reference applied to the claims above for the convenience of the applicant.** Although the specified citations are representative of the teaching of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. **It is respectfully requested from the applicant in preparing responses, to fully consider the references in their entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.**

**In the case of amending the claimed invention, Applicant is respectfully requested to indicated the portions(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NGUYEN TRAN whose telephone number is (571)270-1269. The examiner can normally be reached on M-F 7:30-5:00, OFF every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ullah Akm can be reached on 571-272-2361. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NT

/MATTHEW V NGUYEN/

Primary Examiner, Art Unit 2838

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